

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY

INSOLVENCY PETITION NO.40 OF 2006

Re : R. S. Bidawatka.

...Debtor.

Ex-parte:

Indian Overseas Bank.

...Petg. Creditor.

....

Mr. P. V. Shah for the Petitioning Creditor.

Debtor absent.

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CORAM : DR.D.Y.CHANDRACHUD, J.

DECEMBER 19, 2006.

P.C.

The Petition is based on a recovery certificate dated 17th February 2003 (in terms of the decree dated 17th July 1992 of this Court in Suit 2857 of 1987). A Notice of Motion was taken out to set aside the Insolvency Notice. The Motion was dismissed on 23rd March 2006. The Debtor has been served. An affidavit of service has been filed. There is no reply to the Petition. In the circumstances, the Insolvency Petition is made absolute in terms of prayer clauses (a) and (b).

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